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02-25-02

Attorney Docket No. EVOY002/00US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Louis R. BROTHERS, Jr. et al.

Serial No.: 09/987,722

Examiner: Unassigned

Confirmation No.: Unassigned

Art Unit: 2681

Filed: November 15, 2001

RECEIVED

JAN 16 2002

Technology Center 2600

For: METHOD AND APPARATUS FOR RECEIVED UPLINK-SIGNAL BASED  
ADAPTIVE DOWNLINK DIVERSITY WITHIN A COMMUNICATION  
SYSTEMCommissioner for Patents  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form  
PTO/SB/08 for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
  - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
  - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check No. \_\_\_ in the amount of \$\_\_\_ for the total fee is attached.
- Please charge \$\_\_\_ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

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Serial No. 09/987,722  
Page 2

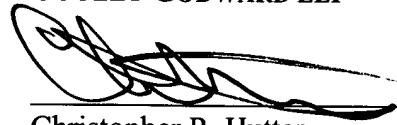
The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: January 14, 2002

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Fax: (703) 456-8100

By:

Respectfully submitted,  
**COOLEY GODWARD LLP**



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Christopher R. Hutter  
Reg. No. 41,087

Attorney Docket No. EVOY002/00US

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SYSTEMCommissioner for Patents  
Washington, D.C. 20231INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §1.97(b)

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,  
 Applicant(s) hereby submits the following information in conformance with 37 C.F.R.  
 §§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08 are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. \_\_\_\_ to which the above-identified application claims priority under 35 U.S.C. §120.
- Publication(s) listed on the attached Form PTO/SB/08 were cited in a foreign search or examination report corresponding to application serial no. and mailed on.
- Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) \_\_\_\_\_. English language publication \_\_\_\_ (copy enclosed) claims priority from this non-English publication.

- Enclosed is an explanation of non-English publication(s) \_\_\_\_ for which an English translation is not available.
- Enclosed is an English translation of non-English publication(s) \_\_\_\_ cited in the attached Form PTO/SB/08.
- Enclosed is a copy of pending patent Application Serial No. \_\_\_\_.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

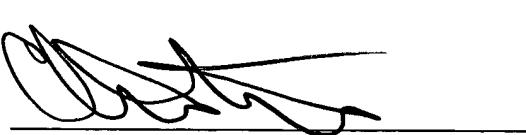
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08 to the undersigned.

Dated: January 14, 2002

Respectfully submitted,  
**COOLEY GODWARD LLP**

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